

Appl. No. 10/052,800  
Amdt. Dated October 25, 2005  
Reply to Office Action of 03/04/05

Docket No. CM04263H  
Customer No. 22917

### REMARKS/ARGUMENTS

Applicants have amended Claims 1 and 14. No new matter was added by these amendments. Claims 1-20 remain in this application. Applicants request reconsideration of this application in view of the above amendments and these remarks and arguments.

The Examiner has rejected Claims 1-9 and 14 under 35 U.S.C. 102(e) as being anticipated by Reichelt, et al. (USPN 6,295,447). Applicants traverse these rejections.

Amended Claim 1 clarifies the definition of the service management agent reciting that it is "adapted to manage the provision of different types of services from a plurality of service providers". Reichelt fails to disclose any such defined device or apparatus. Instead Reichelt discloses that "a subscriber may subscribe to one or more . . . features . . . with a [single] telecommunications provider (e.g., a wireless service provider) . . . [and] may turn "ON" all or a subset of the total set of features." Col. 2, lines 38-42. For these reasons, Applicants submit that amended Claim 1 is now in a condition for allowance and that Claims 2-8 that depend from and include all of the limitations of amended Claim 1 are likewise in a condition for allowance for all of the same reasons as for amended Claim 1.

With respect to Claim 9, Reichelt fails to disclose the limitations recited in Claim 9 and included by dependency in Claims 10-13 of "requesting by a service provider, from a service management agent associated with a communication device, permission to provide a service to the communication device." Reichelt states that "When a call event occurs, the relevant telecommunications network evaluates a logical expression that includes variables corresponding to each of the specified conditions. If (i) the specified conditions. . . are such that the logical expression for the given feature is "TRUE" and (ii) the feature is "ON", then the network executes the feature. . . [Otherwise] the network does not execute the feature." Col. 2, lines 47-58; Abstract. Thus, there is no request by a service provider to a service management agent for permission to provide a service. There is only a call event and resulting evaluation of a logical expression to determine whether or not a given feature or features should be executed in a

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subscriber unit. For these reasons, Applicants submit that Claim 9 is in a condition for allowance and that Claims 10-13 that depend from and include all of the limitations of Claim 9 are likewise in a condition for allowance for all of the same reasons as for Claim 9.

Likewise with respect to Claim 14, Reichert fails to disclose the limitations recited in amended Claim 14 and included by dependency in Claims 15-20 of "receiving, by a service management agent associated with a communication device, a request by a service provider to provide a first service to the communication device." For the reasons above associated with Claim 9, there is no request to provide a service by a service provider that is received by a service management agent. There is only a call event and resulting evaluation of a logical expression to determine whether or not a given feature or features should be executed in a subscriber unit. Accordingly, Applicants submit that amended Claim 14 is now in a condition for allowance and that Claims 15-20 that depend from and include all of the limitations of amended Claim 14 are likewise in a condition for allowance for all of the same reasons as for amended Claim 14.

The Examiner has rejected Claims 10, 11, 15 and 17-20 under 35 U.S.C. 103(a) as being unpatentable over Reichelt, et al. (USPN 6,295,447) as applied to claims 9 and 14 above, and further in view of Rabe, et al. (USPN 6,138,010). Applicants traverse these rejections. As argued above, Reichelt fails to disclose all of the above-quoted limitations recited in Claim 9 and amended Claim 14 and included in the claims, respectively, dependent therefrom. Rabe, et al. also fails to teach or suggest these limitations. Therefore, Claims 10, 11, 15 and 17-20 are in a condition for allowance.

The Examiner has rejected Claims 12 and 13 under 35 U.S.C. 103(a) as being unpatentable over Reichelt, et al. (USPN 6,295,447) as applied to claim 9 above, and further in view of Giordana, III, et al. (USPN 6,285,364). Applicants traverse these rejections. As argued above, Reichelt fails to disclose all of the above-quoted limitations recited in Claim 9 and included in the claims dependent therefrom. Giordana, III, et al. also fails to teach or suggest these limitations. Therefore, Claims 12 and 13 are in a condition for allowance.

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The Examiner has rejected Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Reichelt, et al. (USPN 6,295,447) as applied to claim 14 above, and further in view of Mangal (USPN 6,801,519). Applicants traverse this rejection. As argued above, Reichelt fails to disclose all of the above-quoted limitations recited in amended Claim 14 and included in the claims dependent therefrom. Mangal also fails to teach or suggest these limitations. Therefore, Claim 16 is in a condition for allowance.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

SEND CORRESPONDENCE TO:

Motorola, Inc.  
1303 East Algonquin Road  
IL01/3<sup>rd</sup> Floor  
Schaumburg, IL 60196  
Customer Number: 22917

Respectfully submitted,

By: 

Valerie M. Davis  
Attorney of Record  
Reg. No.: 50,203

Telephone: 847-576-6733  
Fax No.: 847-576-0721

Attachments